

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Phillip J. Green

v.

Case No. 1:20-mj-00150

GREGORY ROGERS,

Defendant.

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged by way of Criminal Complaint. The Complaint charges him with possession with intent to distribute marijuana in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(D); possession of a firearm in furtherance of a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1)(A); and with felon in possession of a firearm, in violation of 18 U.S.C. § 922(g)(1).

The government sought defendant's detention on the basis he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a serious risk of non-appearance, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on April 30, 2020, at which defendant was represented by counsel. The Court having made a finding of probable cause that defendant committed the crime of possession of a firearm in furtherance of a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1)(A), there arises a rebuttable presumption that no condition or combination

of conditions will ensure defendant's appearance and the safety of the community.

See 18 U.S.C. § 3142(e)(3)(B).

Having considered the evidence presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has sustained his burden of rebutting the presumption regarding risk of flight but that he has failed to rebut the presumption regarding danger to the community. Moreover, the Court finds that the government has met its burden of proving by clear and convincing evidence that defendant poses a danger to the community. The Court also finds, as explained on the record, that there is no condition or combination of conditions that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on April 30, 2020.

Date April 30, 2020

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge